

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PAUL OTTO KOETHER IRA ROLLOVER,
On Behalf of Itself and All Others Similarly
Situating,

Plaintiff,

v.

MORTEN ARNTZEN, MYLES R. ITKIN,
OUDI RECANATI, G. ALLEN ANDREAS
III, ALAN R. BATKIN, THOMAS B.
COLEMAN, CHARLES A. FRIBOURG,
STANLEY KOMAROFF, SOLOMON N.
MERKIN, JOEL I. PICKET, ARIEL
RECANATI, THOMAS F. ROBARDS,
JEAN-PAUL VETTIER, MICHAEL J.
ZIMMERMAN, CITIGROUP GLOBAL
MARKETS, INC., MORGAN STANLEY &
COL INCORPORATED, HSBC SECURITIES
(USA) INC., DEUTSCHE BANK
SECURITIES INC., DNB NOR MARKETS,
INC., GOLDMAN, SACHS & CO., ING
FINANCIAL MARKETS LLC,
PRICEWATERHOUSECOOPERS LLP,

Defendants.

Civil Action No. 12-cv-9104

BRUCE MYATT, Individually and On Behalf
of All Others Similarly Situated,

Plaintiff,

v.

MORTEN ARNTZEN and MYLES R. ITKIN,

Defendants.

Civil Action No. 12-cv-8547

ROBERT PORZIO, Individually and On
Behalf of All Others Similarly Situated,

Plaintiffs,

v.

OVERSEAS SHIPHOLDING GROUP, INC.,
MORTAN ARNTZEN, and MYLES R.
ITKIN,

Defendants.

Civil Action No. 12-cv-7948

INDIANA TREASURER OF STATE,
Individually and On Behalf of All Others
Similarly Situated,

Plaintiffs,

v.

G. ALLEN ANDREAS III, MORTEN
ARNTZEN, ALAN R. BATKIN, THOMAS B.
COLEMAN, CHARLES A. FRIBOURG,
MYLES R. ITKIN, STANLEY KOMAROFF,
SOLOMON N. MERKIN, JOEL I. PICKET,
ARIEL RECANATI, OUDI RECANATI,
THOMAS F. ROBARDS, JEAN-PAUL
VETTIER, MICHAEL J. ZIMMERMAN,
CITIGROUP GLOBAL MARKETS, INC.,
DEUTSCHE BANK SECURITIES INC.,
DNB NOR MARKETS, INC., GOLDMAN,
SACHS & CO., HSBC SECURITIES (USA)
INC., ING FINANCIAL MARKETS LLC,
MORGAN STANLEY & CO.
INCORPORATED and
PRICEWATERHOUSECOOPERS LLP,

Defendants.

Civil Action No. 12-cv-9363

**NOTICE OF NON-OPPOSITION OF PAUL OTTO KOETHER IRA ROLLOVER TO
THE MOTIONS FOR APPOINTMENT AS LEAD PLAINTIFF, APPROVAL OF
SELECTION OF LEAD COUNSEL, AND CONSOLIDATION OF RELATED ACTIONS**

The Paul Otto Koether IRA Rollover (“Koether”) respectfully submits this notice of non-opposition with respect to the pending motions for appointment as Lead Plaintiff and approval of selection of Lead Counsel in *Porzio v. Overseas Shipholding Group, Inc. et al.*, Case No. 1:12-cv-07948 (SAS) (S.D.N.Y.) (the “Porzio Action”). On December 26, 2012, Koether filed a Motion for Appointment as Lead Plaintiff, Approval of its Selection of Lead Counsel, and Consolidation of All Related Actions in the Porzio Action. Koether and its counsel have reviewed the Lead Plaintiff motions pending before the Court and have determined that Koether does not have the largest financial interest in this case.

Koether remains ready, willing and able to serve as Lead Plaintiff if the Court declines to appoint the remaining movants seeking Lead Plaintiff status. This Notice shall have no effect upon Koether’s rights as a member of the proposed class, and Koether expressly reserves any and all rights to share in any recovery in this action.

DATED: January 14, 2013
New York, New York

Respectfully submitted,

**BERNSTEIN LITOWITZ BERGER
& GROSSMANN LLP**

By: /s/ John C. Browne
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*Counsel for Proposed Lead Plaintiff Paul
Otto Koether IRA Rollover and Proposed
Lead Counsel for the Class*